

REMARKS/ARGUMENTS

Claims 34 to 62 remain in this application. Claims 1 to 33 have been cancelled, without prejudice.

Applicants appreciate the allowance of the claims in the parent application and that the Examiner was not in a position to consider claims of varying scope. Independent claims 34, 36, 40, 42, 46 and 59 are patterned after allowed claim 10 of the parent application.

The present claims avoid process limitations. The phrase “said layer comprising a melt processable composition comprising a melt processable polymer resin and a melt process processing aid” has been substituted for “said layer comprising a melt processed polymer resin composition.” While a melt processable polymer resin can be used to form other than a melt processed layer, a melt processed layer will include a melt process processing aid, such as a lubricant. Support for the processing aid and lubricant is found in the example on page 9 of the specification.

The phrase “the viscosity of the melt processable composition is between about 4,500 to about 70,000 poise at some temperature between 225°F and 425°F” has been substituted for “the viscosity of the melt processable composition during application of the textured surface on the substrate is from about 4,500 to about 70,000 poise” Support for the temperature range is found at page 8, lines 3 to 5.

The scope of independent claims 34, 36, 40, 42, 46 and 59 vary in the difference in height of the textured surface over no more than 20 mils horizontal distance. Claims

34 and 36 specify a height difference of about 1 mil. Claims 40 and 42 specify a height difference of about 2 mil. Claims 46 and 59 specify a height difference of from about 1 mil to about 5 mils. The term “about” is intended to have its ordinary meaning of rounding to the nearest whole number, i.e. “about 1 mil” means “greater than 0.5 mils and less than 1.5 mils,” “about 2 mil” means “greater than 1.5 mils and less than 2.5 mils,” and “from about 1 mil to about 5 mils” means “greater than 0.5 mils and less than 5.5 mils.”

Independent claims 34, 40 and 46 require the layer overlying the area of the textured surface to have a thickness that varies less than about 20%. Independent claims 36, 42 and 59 require the viscosity of the melt processable composition to be between about 4,500 to about 70,000 poise at some temperature between 225°F and 425°F. Claims 38, 44 and 61 require both limitations.

Claims 56, 57 and 58 require the textured substrate to be mechanically embossed, chemically embossed, and mechanically and chemically embossed, without the use of arguably process limitations. It is understood by those of ordinary skill in the art that chemical embossing requires an embossing inhibitor or accelerator and the mechanical embossing does not. The substantially uniform concentration of a chemical embossing inhibitor or accelerator in an embossed substrate indicates the combination of mechanical and chemical embossing.

The present claims distinguish the prior art cited in the parent application. Therefore, a timely Notice of Allowance is earnestly solicited.

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Preliminary Amendment.
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Respectfully submitted,

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Date

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